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Letter dated 3 January 2002 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to request you to convene a meeting of the Security Council to discuss the latest developments in the situation in the Democratic Republic of the Congo, as described below.

I. *Troop movements in the eastern part of the Democratic Republic of the Congo*

My Government wishes to inform the Security Council that Rwandan troop movements, which, moreover, have been duly observed by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), are continuing and have intensified in the northern part of Katanga province.

These Rwandan troop movements are taking place in flagrant violation of the Lusaka Ceasefire Agreement and the Kampala plan and its Harare sub-plans for disengagement and redeployment. The Rwandan Government itself recognizes the truth of this in document S/2001/1168 of 10 December 2001, in which it falsely claimed that "since May 2001, the Forces armées congolaises (CAF) established the base at Muliro to resupply, support and facilitate movement of the Army for the Liberation of Rwanda (ALIR) and the Forces pour la défense de la démocratie (FDD). The reported battles along Lake Tanganyika, in Fizi, Mwenga, etc., are a direct result of this violation. FAC commanders are directly involved in the command of these forces." The Rwandan Government went on to say in the same document that "the prospects of the FAC losing their tactical base at Muliro are very high, either through due process or by eviction".

For his part, on 28 December 2001, the Secretary-General of the RCD-Goma threatened "a renewal of combat in the Democratic Republic of the Congo".

My Government wishes to draw the Security Council's attention to such premeditation, which proves beyond the shadow of a doubt the blatant intention of Rwanda and of the RCD-Goma to resume large-scale hostilities with a view to perpetuating the Rwandan occupation of the provinces of Kivu and Maniema and torpedoing the inter-Congolese dialogue which is to decide on, inter alia, the orderly withdrawal of all foreign troops.

My Government wishes to remind the Security Council of its statement to the press on 19 December, in which the Council expressed its grave concern over the troop movements in the eastern part of the Democratic Republic of the Congo and stressed that such incidents were disturbing at a time when the inter-Congolese

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dialogue was about to begin. The Council had, in particular, called on all parties to refrain from any military operation, in particular in the east of the country, and stressed that the question of Mulior should be settled peacefully within the framework of the Joint Military Commission.

2. *Tension in Bukavu*

In the town of Bukavu, which is under Rwandan occupation, there is a new wave of organized crime because unpaid soldiers of the Rwandan Patriotic Army (RPA) and the RCD-Goma are attacking the population in order to satisfy their basic needs. The recent murders perpetrated in this town and reported by Radio France Internationale speak for themselves. The situation in Bukavu is indeed explosive and could well degenerate, to the great detriment of innocent Congolese civilians, for whom the very presence of Rwandan troops is a veritable ordeal.

According to a recent report by Human Rights Watch, Rwandan troops and troops of the RCD-Goma continued to commit large-scale human rights violations against the Congolese civilian population.

3. *Demilitarization of the town of Kisangani*

My Government wishes to remind the Security Council that the town of Kisangani, a town which has endured great suffering and was largely destroyed by three clashes between the regular armies of Uganda and Rwanda, is not yet demilitarized, in violation of resolution 1304 (2000) and all relevant Council resolutions on this question.

My Government requests the Security Council to note the clear intention of the RCD-Goma not to demilitarize this town despite all the Council's injunctions.

The Security Council will recall its constant reminders to the RCD-Goma of its obligation to demilitarize the town of Kisangani, unconditionally, and to allow the full reopening of the river, and its appeals to Rwanda to use its strong influence over the RCD-Goma to that end.

4. *Murder of Congolese in Oriental province*

For more than a week, there has been a major resurgence of ethnic conflicts in Oriental province in the territories under Ugandan occupation. These ethnic rivalries have more than likely been aroused by elements of the regular Ugandan army deployed in the areas bordering Uganda and are caused, as is, moreover, extremely well documented by various relevant United Nations reports, by trafficking and pillaging of all kinds by the regular Ugandan army since the beginning of its aggression against the Democratic Republic of the Congo in August 1998.

In the village of Nioka alone, located in the commune of Djugu, district of Ituri, more than 50 persons were killed and approximately 400 homes were burned. The situation continues to escalate and has been aggravated by the latest deployment of Ugandan troops, particularly in Bunia.

My Government therefore wishes to remind the Security Council of the provisions of paragraph 28 of resolution 1341 (2001) in which the Council "expresses its readiness to consider possible measures which could be imposed, in accordance with its responsibilities and obligations under the Charter of the United Nations, in case of failure by parties to comply fully with this resolution".

My Government believes that all the conditions have now been fulfilled for the Security Council to impose, in accordance with Articles 39 to 42 of the Charter of the United Nations, exemplary sanctions on the RCD-Goma, Rwanda and Uganda so that this aggressor entity and these aggressor countries will cease to insult and taunt the international community with impunity, through the prestigious Security Council. To act otherwise would be to rob the various resolutions of the Security Council of all credibility and would only reconfirm the aggressor countries in their dark design, namely, promoting another escalation of the war of aggression in order to derail any prospect of a rapid return to a lasting peace, not only for the Democratic Republic of the Congo but for all the countries in the Great Lakes region as well.

In order to bring about this return to a peace eagerly awaited by all the Congolese people, my Government requests the Security Council to call for, as a matter of priority:

- The immediate cessation by the aggressors of all the atrocities they are committing against the Congolese population in the territories under occupation;
- The immediate demilitarization of the town of Kisangani and the full reopening of the Congo River and its tributaries;
- Accelerated deployment of MONUC in order to promote the process of an orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo;
- Unconditional support for the inter-Congolese dialogue;
- The holding, as soon as possible, under the auspices of the United Nations and the Organization of African Unity, of an international conference with a view to maintaining lasting peace and security, consolidating democracy and promoting development and economic integration in the Great Lakes region.

With a view to ending the reign of impunity, the Council should also contemplate taking a number of preliminary measures, including, among many others:

- Reparations by Uganda and Rwanda for the loss of human life and property damage they have inflicted on the Congolese civilian population, particularly in Kisangani;
- The prosecution of any individual, and those behind him, guilty of violations of human rights and international humanitarian law in the territory of the Democratic Republic of the Congo;
- The establishment of a court in which to prosecute all persons, companies and even aggressor States involved in the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo in violation of its national sovereignty, fuelling the war effort of aggressor countries and their Congolese accomplices;
- The setting up of an embargo on all Congolese goods transiting through aggressor countries;

– The freezing of financial assets and other resources of, and the imposition of travel bans on, leaders of aggressor countries.

This list of coercive measures is not exhaustive and does not prejudice the discretionary power of the Security Council to take all measures it deems appropriate.

My Government invites the Council to follow up the present letter and should be grateful if you could have it circulated as a document of the Security Council.

(*Signed*) Ileka **Atoki**
Permanent Representative and Ambassador